

Vanessa R. Waldref
United States Attorney
Eastern District of Washington
Michael D. Murphy
Assistant United States Attorney
402 E. Yakima Avenue, Suite 210
Yakima, Washington 98901
(509) 454-4425

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

1:21-CR-02009-SAB-2

Plaintiff,

vs.

RAMON BERUMEN PEREZ,

GOVERNMENT'S SENTENCING MEMORANDUM

Defendant.

The United States of America, by and through Vanessa R. Waldref, United States Attorney for the Eastern District of Washington, and Michael D. Murphy, Assistant United States Attorney, submits the following Government's Sentencing Memorandum.

The Government has no objections to the PSR (ECF 115).

I. Base Offense Level and Enhancements

1 The PSR provides for a total offense level of 19, criminal history category of
2 I, with a guideline range of 30-37 months. ECF 115, ¶¶ 52, 95, 138. The statutory
3 guideline range is 60 months; however, the Defendant meets the criteria set forth in
4 18 U.S.C. § 3553(f)(1)-(5) for imposition of a sentence in accordance with the
5 applicable guidelines, and without regard to any statutory minimum sentence.
6 Further, pursuant to Fed.R.Crim.P. 11(c)(1)(C), should the Court find that the
7 Defendant is not eligible to be sentenced pursuant to 18 U.S.C. § 3553(f), the
8 Defendant may withdraw from the Plea Agreement. ECF 110, pp. 2-3. The
9 Government agrees with the guideline calculations in the PSR.

12 II. Departures

14 The Government does not seek any departures or variances. Pursuant to the
15 Plea Agreement (ECF 110), the United States has agreed that it will recommend a
16 sentence within the applicable guideline range.

18 III. 18 U.S.C. § 3553(a)

19 The Government has no section 3553 information beyond what is included in
20 the PSR. The Government notes that Defendant has been on pre-trial release since
21 December 1, 2021 and has complied with all conditions of that release. ECF 115, ¶¶ 8,
22 9. Further, as recognized in the PSR, the Defendant had a smaller role in the criminal
23 activity which was the subject of the Indictment in this case. ECF 115, ¶ 44.

26 IV. Sentencing Recommendation

1 The Government recommends that the Defendant receive a sentence at the
2 bottom of the applicable guideline range, that being 30 months incarceration, with
3 credit for time previously spent in custody. Further, the Government recommends that
4 the Defendant be required to complete a term of four years of supervised release while
5 subject to the standard and suggested special conditions of supervised release set forth
6 in the PSR. Plea Agreement, ECF 110, pp. 6-7.
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10 DATED this 9th day of August, 2022.
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VANESSA R. WALDREF
United States Attorney

s/Michael D. Murphy
MICHAEL D. MURPHY
Assistant United States Attorney

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18 **CERTIFICATE OF SERVICE**
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20 I hereby certify that on August 9, 2022, I electronically filed the foregoing with
21 the Clerk of the Court using the CM/ECF System, and a copy was emailed to the
22 counsel of record in this case.
23
24

s/ Michael D. Murphy
Michael D. Murphy
Assistant United States Attorney
United States Attorney's Office
402 E. Yakima Ave., Suite 210
Yakima, WA 98901
(509) 454-4425
Fax: (509) 249-3297